



Montgomery County, Maryland

COUNTY COUNCIL AGENDA

COUNCIL HEARING ROOM, 100 MARYLAND AVENUE, ROCKVILLE, MARYLAND 20850
240/777-7900 • TTY 240/777-7914 • FAX 240/777-7989 • www.montgomerycountymd.gov/council

The Council Agenda is subject to change any time after printing or during the Council meeting. Please contact the Council Office or visit our website to obtain updates.

This meeting will be televised live on Channel 6; repeated on 2/10/06 at 8 pm and 2/11/06 at 9 am

Monday, February 6, 2006

- (1) 12:30 **DISCUSSION** - State Legislative Program (6th floor Council Conference Room) (Wenger)

Tuesday, February 7, 2006

9:30 **INVOCATION** - Deacon Greg Schaffer, St. Francis Assisi, Derwood

9:35 **PRESENTATION** - Proclamation in recognition of the Gaithersburg High Girls Volleyball Team, Winners of the Maryland 4A State Title Championship, by Councilmember Andrews

9:40 **PRESENTATION** - Proclamation in recognition of Joshua R. Hartman's heroic acts, by Councilmember Praisner

9:45 **GENERAL BUSINESS**

- (2) A. **Announcement** - Agenda and Calendar Changes (Lauer)
B. **Acknowledgement** - Receipt of Petitions (Lacefield)
C. **Action** - Approval of Minutes: January 19, 23 and 24, 2006 (Lauer)

- (3) 9:50 **CONSENT CALENDAR**

A. **Introduction** - Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes (Levchenko)
Public Hearing is scheduled for 3/14/06 at 7:30 pm.

B. **Action** - Appointment of FY07 Grants Advisory Group (Ferber)

(3) 9:50 **CONSENT CALENDAR** *(continued)*

- C. **Action** - Resolutions to transfer project balances within the MCPS' FY06 Capital Budget and amendments to the FY05-10 CIP: (Levchenko)
• \$750,000 from Northwest High School to MCPS Local Unliquidated Surplus Account (Source: G.O. Bonds)
• \$750,000 from MCPS Local Unliquidated Surplus Account to Current Replacements/Modernizations (Source: G.O. Bonds)
ED Committee worksession recommends approval.
- D. **Action** - Resolution to establish an incubator program for emerging non-profit organizations (Ervin/Planell)
MFP/HHS Committee recommendation will be available 2/6/06.
- E. **Action** - Supplemental appropriation to the County Government's FY06 Operating Budget, Montgomery County Homeland Security Department - \$400,000 for Homeland Security grant award (Source: Federal grant) (Davidson)
HSC Committee recommends approval.
- F. **Action** - Supplemental appropriation to the County Government's FY06 Operating Budget for Homeland Security grant awards: Department of Police - \$298,550; Montgomery County Fire and Rescue Services - \$294,330; and Montgomery County Homeland Security Department - \$5,670 (Source: Federal grant) (Davidson)
HSC Committee recommends approval.
- G. **Action** - Supplemental appropriation to the County Government's FY06 Operating Budget, Department of Police - \$1,000,000 for Homeland Security grant award (Source: Federal grant) (McMillan)
HSC Committee recommends approval.
- H. **Action** - Supplemental appropriation to the County Government's FY06 Operating Budget, Montgomery County Fire and Rescue Service - \$1,277,500 for Local Fire and Rescue Departments, FY05 Senator Amoss Fire, Rescue and Ambulance Fund (State 508) Grant (Source: State grant) (Davidson)
PS Committee recommendation will be available 2/2/06.
- I. **Action** - Confirmation of County Executive appointment to the Community Action Board: Michael A. Smith, M.D. (Ferber)
- (4) 10:00 **ACTION** - Spending Affordability Guidelines for the FY07 Capital Budget and other general CIP assumptions (Orlin)
MFP Committee recommends approval.

10:45 **DISTRICT COUNCIL SESSION**

- (5) A. **Introduction** - Zoning Text Amendment 06-06, Off-Street Parking - RE-200 and RE-1 Zones, sponsored by Councilmember Praisner (Wilson)
Action - Resolution to establish public hearing for 3/14/06 at 1:30 pm.
- (6) B. **Action** - Zoning Text Amendment 05-22, Transit Station Zones - Central Business District (Wilson/Healy)
PHED Committee recommends approval with amendments.
- (7) C. **Action** - Zoning Text Amendment 05-21, Corporate Training Center - C-P Zone (Wilson/Healy)
PHED Committee recommends approval.
- (7.1) D. **Action** - Resolution to establish public hearing on Zoning Text Amendment 06-01, Rural Village Center Overlay Zone - Revisions for March 7, 2006 at 1:30 pm (Wilson)
- (7.2) E. **Action** - Resolution to establish public hearing on Zoning Text Amendment 06-02, Mixed Used Town Center Zone - Revisions for March 7, 2006 at 1:30 pm (Wilson)
- (7.3) F. **Action** - Resolution to establish public hearing on Zoning Text Amendment 06-03, Rural Neighborhood Cluster Zone - TDR Option for March 7, 2006 at 1:30 pm (Wilson)
- (7.4) G. **Action** - Resolution to establish public hearing on Zoning Text Amendment 06-04, Rural Neighborhood Cluster Zone - Rural Open Space for March 7, 2006 at 1:30 pm (Wilson)

11:00 **LEGISLATIVE SESSION Day # 5**

- A. Approval of Legislative Journal: January 24, 2006 (Lauer)
- B. Introduction of Bills
- (8) • **Bill 2-06**, Collective Bargaining - County Employees - Fact Finding, sponsored by the Council President at the request of the County Executive (Faden)
Public Hearing is scheduled for 3/7/06 at 1:30 pm.
- C. Call of Bills for Final Reading
- (9) • **Bill 44-05**, Motor Vehicles - Parking Violations (Boucher)
T&E Committee recommendation will be available 2/2/06.
- (10) • **Expedited Bill 42-05**, Minority Owned Business Purchasing Program - Extension (Healy)
MFP Committee recommends approval as amended.
- (11) 11:20 **ACTION** - Special appropriation to the Maryland-National Capital Park and Planning Commission's FY06 Operating Budget - \$1,153,100 for Development Review Division (Source: Development Review Special Revenue Fund) (Michaelson)
PHED Committee recommends approval with amendments.

12:00 **RECESS**

February 7, 2006

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- (12) 1:30 **PUBLIC HEARING** - Resolution to approve Franchise Agreement for Use of Public Right-of-Way: Looking Glass Networks, Inc. (Healy)
MFP Committee worksession tentatively scheduled for 2/9/06.
- (13) 1:30 **PUBLIC HEARING** - Resolution to approve Franchise Agreement for Use of Public Right-of-Way: NextG Networks Atlantic, Inc. (Healy)
MFP Committee worksession tentatively scheduled for 2/9/06.
- (14) 1:30 **PUBLIC HEARING** - Resolution to approve Franchise Agreement for Use of Public Right-of-Way: Fiberlight, LLC. (Healy)
MFP Committee worksession tentatively scheduled for 2/9/06.
- 1:45 **ADJOURN**
- 2:00 **MFP Committee** (6th floor Council Conference Room)
- 7:00 **PUBLIC HEARING** - FY07 Capital Budget and FY07-12 Capital Improvements Program (3rd floor Council Hearing Room)

Wednesday, February 8, 2006

- 7:00 **PUBLIC HEARING** - FY07 Capital Budget and FY07-12 Capital Improvements Program - MCPS (3rd floor Council Hearing Room)

Thursday, February 9, 2006

- 7:00 **PUBLIC HEARING** - FY07 Capital Budget and FY07-12 Capital Improvements Program - *HEARING CANCELLED*

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on February 14, 2006:

Animal Matters Hearing Board: Joyce Winston, Allan S. Cohen, Erin E. Chu, Eric Udler, Susan P. Cameron, Valerie A. Braden, Alfred J. Feruggiaro

Fire and Rescue Commission: Man Cho

Noise Control Advisory Board: Gregory Brown, Lonnie T. Cumberland

FUTURE COUNCIL MEETINGS

County Council meeting notices are posted on the bulletin board in the fifth floor lobby of the Council Office Building in Rockville, pursuant to State law.

Note: See the COMMITTEE AGENDA for a listing of the Committee meetings currently scheduled.

| | | |
|--------------|----------|-------------------|
| Feb 13, 2006 | 12:30 pm | State Legislation |
| Feb 14, 2006 | 9:30 am | Regular Session |
| Feb 20, 2006 | | HOLIDAY |

FUTURE COUNCIL MEETINGS *(continued)*

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Note: See the **COMMITTEE AGENDA** for a listing of the Committee meetings currently scheduled.

| | | |
|------------------------|----------|-------------------|
| Feb 21-24, 2006 | | RECESS |
| Feb 27, 2006 | 12:30 pm | State Legislation |
| Feb 28, 2006 | 9:30 am | Regular Session |
| Mar 6, 2006 | 12:30 pm | State Legislation |
| Mar 7, 2006 | 9:30 am | Regular Session |
| Mar 13, 2006 | 12:30 pm | State Legislation |
| Mar 14, 2006 | 9:30 am | Regular Session |
| Mar 20, 2006 | 12:30 pm | State Legislation |
| Mar 21, 2006 | 9:30 am | Regular Session |
| Mar 27, 2006 | 12:30 pm | State Legislation |
| Mar 28, 2006 | 9:30 am | Regular Session |

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

February 14, 2006

1:30 pm Supplemental appropriations to the County Government's FY06 Capital Budget and amendments to the FY05-10 CIP:

- DEP - \$968,000 for Montclair Manor Flood Mitigation
- DPWT - \$262,000 for Glen Echo Park
- DOP - \$1,190,000 for Vehicle Recovery Facility
- DPWT, DSWS - \$7,211,000 for Transfer Station Improvements

1:30 pm Amendment to the County Government's FY05-10 CIP, DPWT, Division of Solid Waste Services - Gude Drive Processing Facility

1:30 pm Special appropriation to the MCPS' FY06 Capital Budget and amendment to the FY05-10 CIP - \$3,300,000 for Seven Locks Elementary School Replacement *(continued to March 7, 2006 at 7:30 pm)*

February 16, 2006

7:30 pm **Bill 1-06**, Personnel - Special Days of Commemoration

February 28, 2006

7:30 pm Damascus Master Plan *(Continuation)*

March 7, 2006

1:30 pm ZTA 06-01, Rural Village Center Overlay Zone - Revisions

1:30 pm ZTA 06-02, Mixed Used Town Center Zone - Revisions

1:30 pm ZTA 06-03, Rural Neighborhood Cluster Zone - TDR Option

1:30 pm ZTA 06-04, Rural Neighborhood Cluster Zone - Rural Open

1:30 pm ZTA 06-05, C-2 Zone - Site Plan Review

7:30 pm Special appropriation to the MCPS' FY06 Capital Budget and amendment to the FY05-10 CIP - \$3,300,000 for Seven Locks Elementary School Replacement *(Continuation)*

March 14, 2006

7:30 pm Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: water and sewer category changes



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ADDENDUM

Tuesday, February 7, 2006

(3) 9:50 CONSENT CALENDAR *(continued)*

Add:

J. **Action** - Re-adoption of a resolution setting transportation fees, charges, and fares

(Orlin)